



09-16-03  
09/16/03  
423  
Attorney's Docket No. 5784/209112 (5784-50)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Caligiuri *et al.* Confirmation No.: 8842  
Appl. No.: 09/855,342 Group Art Unit: 1642  
Filed: May 14, 2001 Examiner: Stephen L. Rawlings  
For: METHODS OF THERAPY FOR CANCERS CHARACTERIZED BY  
OVEREXPRESSION OF THE HER2 RECEPTOR PROTEIN

September 15, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)**

1. This is a petition for an extension of time for a total period of three months to respond to the Office Action dated March 14, 2003.
2. Applicant is  a small entity;  other than a small entity.
3. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5)):

Total Months <u>Requested</u>	Fee For Other Than Small Entity	Fee for <u>Small Entity</u>
one month	\$110.00	\$55.00
two months	\$410.00	\$205.00
three months	\$930.00	\$465.00
four months	\$1,450.00	\$725.00
five months*	\$1,970.00	\$985.00

\*Cannot be used to exceed six-month statutory limit for response to an Official Action.

A check in the amount of \$930.00 is enclosed.  
 Charge Deposit Account No. 16-0605 for the extension fee.  
 Charge Deposit Account No. 16-0605 for any fee deficiency.

09/17/2003 BSAYASI1 0000007 09855342

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930.00 0P

Respectfully submitted,

Leslie T. Henry  
Registration No. 45,714

<p>CUSTOMER NO. 00826 <b>ALSTON &amp; BIRD LLP</b> Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260</p>	<p>"Express Mail" mailing label number EV 184330196 US Date of Deposit September 15, 2003</p> <p>I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450</p> <p></p> <p>Lynda-Jo Pixley</p>
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